



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

SITE	Peterson Puritan
BREAK	11.9
OTHER	002

29477

**URGENT LEGAL MATTER -- PROMPT REPLY NECESSARY**  
**CERTIFIED MAIL: RETURN RECEIPT REQUESTED**

August 6, 2001

Mr. Stan Steinrech  
Vice President, Corporate Relations  
Armstrong Holdings, Inc.  
c/o Elizabeth B. Davis, Esq.  
Womble Carlyle Sandridge & Rice, PLLC  
3500 One Atlantic Center  
1201 West Peachtree Street  
Atlanta, GA 30309

Re: **Notice of Potential Liability and Request for Supplemental Information** Pursuant to  
Section 104 of CERCLA for the Peterson/Puritan, Inc. Superfund Site, Operable Unit 2  
which includes the J. M. Mills Landfill, Cumberland, RI.

Dear Ms. Davis:

This letter serves to formally notify Armstrong Holdings, Inc. of the potential liability which it has or may have incurred with respect to Operable Unit Two of the Peterson/Puritan, Inc. Superfund Site, which includes the J. M. Mills Landfill in Cumberland, Rhode Island ("Site"). This letter requests that you pay certain costs related to the Site and that you prepare to participate in the conduct or financing of certain clean-up activities at the Site. This letter also seeks your cooperation in providing further information and documents relating to the environmental conditions at, and cleanup of, the Site.

**NOTICE OF POTENTIAL LIABILITY**

The United States Environmental Protection Agency ("EPA") has documented the release or threatened release of hazardous substances, pollutants or contaminants at the Site. EPA has spent and is considering spending public funds on actions to investigate and control such releases or threatened releases. Unless EPA reaches an agreement under which a responsible party or parties such as yourself will properly perform or finance such actions, EPA may itself perform these actions or order responsible parties to perform these actions pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601 *et seq.* ("CERCLA"), 42 U.S.C. § 9604, as amended by the Superfund Amendments and Reauthorization Act of 1986 ("SARA").

Under Sections 106(a) and 107(a) of CERCLA, 42 U.S.C. §§ 9606(a) and 9607(a), and other laws, responsible parties may be obligated to undertake actions deemed necessary by EPA to

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protect the public health, welfare or environment. Responsible parties may also be liable for all costs incurred by the government in responding to any release or threatened release at the Site. Such costs may include, but are not limited to, expenditures for investigation, planning, clean-up response and enforcement activities. In addition, responsible parties may be required to pay damages for injury to, destruction of, or loss of natural resources, including the costs to assess such damages.

Responsible parties under CERCLA include persons who are current or former owners and/or operators of a site, persons who arranged for disposal of hazardous substances at a site, or persons who accepted hazardous substances for transport to a site selected by such persons.

EPA has evaluated a large body of evidence in connection with its investigation of the Site, including Site business records, manifests, state records, and corporate records. Based on this evidence, EPA has information indicating that you are a potentially responsible party ("PRP") with respect to this Site. Specifically, EPA has reason to believe that you arranged by contract, agreement or otherwise for disposal or treatment, or arranged with a transporter for transport for disposal or treatment of hazardous substances found at the site.

By this letter, EPA notifies you of your potential liability with regard to this matter. EPA also encourages you, as a PRP, to reimburse EPA for the costs incurred to date as set out below. At the present time, Bestfoods and CCL Custom Manufacturing, Inc. ("CCL") are under an obligation to perform and finance the Remedial Investigation and Feasibility Study ("RI/FS") at the Site through an Administrative Order on Consent ("AOC"). EPA now expects Bestfoods and CCL to proceed with the RI/FS for the Second Operable Unit which includes the J.M. Mills Landfill. EPA encourages you to voluntarily enter into discussions with Bestfoods and CCL and to cooperate and participate with Bestfoods and CCL, in the performance of the RI/FS presently in the planning stages and to be performed under the terms of an amended AOC for the Second Operable Unit of the Site.

### **SUPPLEMENTAL INFORMATION REQUEST**

EPA has reviewed your June 19, 2001 response to the Request for Information sent pursuant to Section 104 of the CERCLA. Documentation available to the EPA indicates that Armstrong delivered waste to the J.M. Mills Landfill located on a section of Operable Unit 2 of the Peterson/Puritan, Inc. Superfund Site in Cumberland, Rhode Island. Consequently, EPA would like to obtain further information from you pertaining to specific aspects of the waste generated by the Armstrong facility and transported away from the facility. Pursuant to the authority of Section 104 CERCLA, you are hereby requested to respond to the Supplemental Information Request set forth in the Enclosure to this letter.

While EPA seeks your voluntary cooperation in this investigation, compliance with the Information Request is required by law. Failure to provide a complete truthful response to this Information Request within thirty (30) days of your receipt of this letter, or to adequately justify such failure to respond, may subject you to an enforcement action by EPA pursuant to Section 104(e) of CERCLA, as amended. This statute permits EPA to seek the imposition of penalties of up to twenty-seven thousand, five hundred dollars (\$27,500) for each day of continued

non-compliance.

Please note that responses which are incomplete, ambiguous, or evasive will be treated as complete non-compliance with this Information Request. Also be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501, et seq.

### **RESPONSE ACTIVITIES AT THE SITE**

EPA has already conducted the following activities at the Site:

1. A time-critical removal action in response to tanks, still bottoms and drums located at the Site and to restrict access to the Site in the construction of a fence;
2. A time-critical removal action in response to asbestos disposal and fence repair.

EPA is planning to conduct the following activities at the Site:

1. Remedial Investigations to identify the local characteristics of the Site and to define the nature and extent of soil, air, surface water and ground water contamination at the Site;
2. Feasibility Studies to evaluate the feasibility of possible remedial actions to remove or contain hazardous substances, pollutants and contaminants at the Site;
3. Design and implementation of a Remedial Action for the Site to be approved by EPA; and
4. Operation, maintenance and monitoring of the Site as deemed necessary by EPA.

In addition to those enumerated above, EPA may, pursuant to its authorities under CERCLA and other laws, decide that other response activities are necessary to protect public health, welfare or the environment.

### **SPECIAL NOTICE AND NEGOTIATION MORATORIUM**

At an appropriate point in the future, you will receive an additional notice informing you that one or more of the above activities is pending and that your cooperation is being requested to negotiate the terms of an agreement to perform or finance these activities.

This forthcoming notice will serve to inform you that EPA is using either the CERCLA Section 122(e) Special Notice procedures to formally negotiate the terms of a consent order or consent

decree to conduct or finance site response activities at the site or it will inform you that EPA is not using such procedures pursuant to Section 122(a). If EPA does not use Section 122(e) Special Notice procedures, the Section 122(a) notice will explain why the Special Notice procedures were not appropriate in this case. Under Section 122(e), EPA has the discretionary authority to invoke Special Notice procedures if EPA determines that such procedures would facilitate an agreement between EPA and the PRPs and would expedite remedial action at the site. Use of the Special Notice procedure triggers a moratorium on certain EPA activities at the site. The purpose of the moratorium is to provide a period of time when PRPs and EPA may enter into formal negotiations allowing PRPs the opportunity to conduct or finance the response activities at the Site.

### **INFORMATION TO ASSIST RESPONSIBLE PARTIES**

EPA would like to encourage good faith negotiations between you and the Agency and among you and other parties potentially responsible for the Site. To assist responsible parties in preparing a proposal and in negotiating with EPA concerning this matter, EPA is providing the following information:

#### **Site Information:**

- A description of the Site, specifically Operable Unit 2 which includes the J. M. Mills Landfill. (Included as a part of the Information Request, Enclosure A)
- A list of the names and addresses of potentially responsible parties to whom this notification was provided. This list represents EPA's preliminary findings on the identities of potentially responsible parties. EPA's responsible party search is continuing. Inclusion on or exclusion from the list does not constitute a final determination by the Agency concerning the liability of any party for the hazard or contamination at the Site. (Enclosure B)

#### **PRP Steering Committee:**

EPA recommends that all PRPs meet to form a PRP steering committee which will function as a group representing and pursuing the interests of the PRPs. Establishing a manageable group is a critical component of the negotiation process. To facilitate negotiations at an appropriate time in the future, EPA will conduct a meeting with responsible parties. At the meeting, EPA will detail the existing knowledge about conditions at the Site and describe the past response activities that have been taken at the Site to date. Since there may be a large number of PRPs, EPA may request that the individual persons or company representatives who attend the meeting appoint a committee to represent them in negotiations.

#### **Administrative Record**

In accordance with Section 113(k) of CERCLA, EPA must establish an administrative record containing the documents used by EPA to select the appropriate response action for the Site. An administrative record for Operable Unit 1 of the Site has been previously established. An

administrative record for Operable Unit 2 of the Site will also be established. The administrative record will be available to the public for inspection and comment at:

EPA Records Center  
1 Congress Street  
Boston, MA 02114-2023  
Telephone No. 617-918-1440

Another copy of the administrative record will also be made available at the Cumberland Public Library at 1464 Diamond Hill Road in Cumberland, Rhode Island.

### **TIMING AND FORM OF RESPONSE TO THIS LETTER**

In addition to your continued obligations with respect to the ongoing Information Request, you as a potentially responsible party, should notify EPA in writing within **twenty-one (21) days** from receipt of this letter regarding your willingness to perform or finance the response activities described above. If EPA does not receive a timely response, EPA will assume that your company does not wish to negotiate a resolution of its liabilities in connection with the Site and that your company has declined any involvement in performing the response activities.

Your letter should indicate the appropriate name, address, and telephone number for further contact with you. If you are already involved in discussions with state or local authorities, engaged in voluntary clean-up action, or involved in a lawsuit regarding this Site, you should continue such activities as you see fit. This letter is not intended to advise you or direct you to restrict or discontinue any such activities; however, you are advised to report the status of those discussions or actions in your response to this letter and to provide a copy of your response to any other parties involved in those discussions or actions.

Your response letter should be sent to:

U.S. Environmental Protection Agency  
David J. Newton, RPM  
NH and RI Superfund Section  
Office of Site Remediation and Restoration  
1 Congress Street, Suite 1100  
Mail Code, HBO  
Boston, MA 02114-2023

If you have general questions concerning the Site, please contact David Newton at (617) 918-1243. If you have any legal questions relevant to the Notice of Liability, the ongoing obligation to the Information Request, or if your attorney wishes to communicate with EPA on your behalf, please contact Michelle Lauterback, Enforcement Counsel, U.S. Environmental Protection Agency, 1 Congress Street, Suite 1100 (SES), Boston, MA 02114-2023, or at (617) 918-1774 or Wendoly Ortiz, Assistant Regional Counsel at (617) 918-1040.

The factual and legal discussions in this letter are intended solely to provide notice and

information, and such discussions are not to be construed as a final agency position on any matter set forth herein. Due to the seriousness of the environmental and legal problems posed by conditions at the Site, EPA urges that immediate attention and a prompt response be given to this letter.

By copy of this letter, EPA is notifying the State of Rhode Island and the Federal Natural Resource Trustee(s) of our intent to perform or enter into negotiations for the performance or financing of response actions at the Site.

We again appreciate and look forward to your prompt response to this letter. EPA is convinced that appropriate investigation and clean-up of hazardous sites can be accomplished only through full participation of interested citizens, and we note your contribution to this effort through your response to this letter.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patricia L. Meaney".

Patricia L. Meaney, Director  
Office of Site Remediation and Restoration

Enclosures

cc. Bruce Marshall, Chief, Superfund Enforcement Support Section  
Michelle Lauterback, EPA Office of Environmental Stewardship  
Wendoly Ortiz, EPA Office of Environmental Stewardship  
David J. Newton, EPA Remedial Project Manager  
Louis R. Maccarone, RIDEM Project Manager  
Sheldon Whitehouse, Office of Rhode Island Attorney General  
Terrence Gray, Office Waste Management, RI Dept. of Environmental Management  
Andy Raddant, DOI, US Fish and Wildlife Service, Federal Natural Resource Trustee  
Ken Finkelstein, NOAA, Federal Natural Resource Trustee

## ENCLOSURE A

### INFORMATION REQUEST FOR:

Peterson/Puritan, Inc. Site, Operable Unit 2 which includes the  
J. M. Mills Landfill, Cumberland, RI, hereafter referred to as the "Site"

<b>Period Being Investigated: 1954 through 1986</b>
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In addition to the questions which follow, this enclosure includes a declaration, a site description, detailed instructions for responding to this request, and definitions of words such as "Respondent," "identify," and "waste" used in the questions. These materials appear at the end of the questions; please refer to them in answering all questions. Of particular importance:

- Answer each question with respect to the period being investigated noted above unless the question indicates otherwise.
- Answer all questions completely in accordance with the definitions and instructions.
- Complete the enclosed declaration.
- For each question, identify all persons and documents relied upon in the preparation of the answer.
- All information provided for which you are making a claim of business confidentiality or which contains personal privacy information should be contained on separate sheets and clearly marked as confidential or private.
- This request imposes a continuing obligation upon you to submit responsive information discovered after your original response is submitted to EPA.

The following form of declaration must accompany all information submitted by the Respondent in response to the Information Request:

## DECLARATION

I declare under penalty of perjury that I am authorized to

respond on behalf of \_\_\_\_\_ and that the  
Respondent

foregoing is complete, true, and correct.

Executed on \_\_\_\_\_, 2001

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Type Name

\_\_\_\_\_  
Title [if any]

**Please complete and return this form with your responses to the Information Request**



1. Information or Knowledge of Waste Delivered to the J.M. Mills Landfill

**NOTE: EPA recognizes that in response to the January 29, 2001 Information Request you indicated that you had no knowledge, or reason to know, of any waste from Armstrong Holdings being delivered to the J.M. Mills Landfill. EPA has documentation that waste was transported by Cal's Enterprises of Berkeley, MA from Armstrong's Braintree Plant ("Braintree Plant") to the J.M. Mills Landfill. This documentation indicates that Cal's Enterprises hauled waste from approximately the late 1970's to the early 1980's. Please refer to and provide to EPA any additional information that Armstrong has gathered in its custody, control, or possession that may help respond to the questions below.**

- A. Provide all information you have in your custody, control or possession which indicates the kinds of disposal, treatment, storage, or recycling of the wastes generated at the Braintree Plant.
  - i. Provide a copy of information related to these practices such as:
    - a. manuals;
    - b. manifests;
    - c. logbook records;
    - d. surveys;
    - e. studies; and
    - f. any type of collection data.
- B. Describe the nature of the waste generated at the Braintree Plant, including but not limited to:
  - i. the name of each type of waste;
  - ii. the chemical composition of the contents of each type of waste;
  - iii. the color of each type of waste;
  - iv. the odor of each type of waste; and
  - v. whether each type of waste was hazardous, toxic, flammable, reactive, corrosive, or was otherwise a hazardous substance.
- C. State the approximate quantity of the above mentioned wastes generated at the Braintree Plant.
- D. Identify all contracts, and parties to contracts, between the Braintree Plant, and any employees thereof, and person(s) responsible for collecting, managing, and or disposing of each type of waste generated at the plant.
- E. For each individual and entity, employed by Cal's enterprises, which transported waste from the Braintree Plant to the Site:
  - i. identify (see Definitions) each such individual and entity who brought that waste to the Site, including but not limited to each driver and his or her employer;
  - ii. describe the kind of waste brought to the Site by each individual and entity by

- date; and
  - iii. describe the quantity of waste brought to the Site by each individual and entity by date.
- F. Identify all persons, including Respondent's current and former employees, who have knowledge or information about the generation, use, purchase, treatment, storage, disposal, placement or other handling of materials at or transportation of materials to, the Site.
- G. Provide copies of all documents which indicate:
- i. the amounts charged for storage, treatment, placement, and/or disposal of the above mentioned waste;
  - ii. the total annual amount of such charges;
  - iii. to whom those charges were paid;
  - iv. who paid such charges and in what amounts;
  - v. whether the charges were paid in cash at the time of delivery of the above mentioned waste; and
  - vi. whether a receipt was generated for each delivery of the above mentioned waste.
- H. Please describe each and every material used in the production of:
- i. elastometric rubber insulation;
  - ii. elastometric rubber textile mill supplies commonly known in the trade as "cots and aprons;"
  - iii. elastometric cellular foam insulation;
  - iv. cork;
  - v. cork gaskets;
  - vi. rubber gaskets;
  - vii. cork and rubber gaskets; and
  - viii. rubberized floor tiles.
- I. Furthermore describe the process by which each of the above items is made.
- J. In order to completely answer question 1h in the original information request dated Jan. 29, 2001, please describe each and every material found in the following items as reported by drivers from Cal's Enterprises in an official carrier survey (see exhibit 1). :
- i. black cork insulation;
  - ii. black cork tubes;
  - iii. large sheets of black cork material;
  - iv. black dust;
  - v. dirty rags;
  - vi. cans with unknown residues;
  - vii. cardboard drums that contained some black dust or powder;
  - viii. automotive gaskets; and
  - ix. other assorted shop waste.

- K. Please describe the floor tile manufacturing process that took place at the Braintree Plant during the 1950s and 1960s.
- L. Please describe each and every material used in the production of floor tiles at the Braintree Plant during the 1950s and 1960s.
- M. Please describe the nature of the waste generated at the Braintree Plant during the floor tile manufacturing process, including but not limited to:
- i. the name of each type of waste;
  - ii. the chemical composition of the contents of each type of waste;
  - iii. the color of each type of waste;
  - iv. the odor of each type of waste; and
  - v. whether each type of waste was hazardous, toxic, flammable, reactive, corrosive, or was otherwise a hazardous substance.
- N. In order to completely answer question 5h in the original information request dated January 29, 2001, please describe and identify:
- i. who disposed of the contents of the solid waste dumpsters that were used for small spill cleanup;
  - ii. how were the contents of the solid waste dumpsters disposed of; and
  - iii. where were the contents of the solid waste dumpsters disposed of.
- O. Create a schematic diagram or flow chart that fully describes and or illustrates the Respondent's operation from procurement of production materials through production to disposal of waste.
- P. Create a schematic diagram that indicates which part of Respondent's operations generated each type of waste, including but not limited to, wastes generated by cleaning and maintenance of equipment and machinery and wastes resulting from spills of liquid materials.
- Q. Define the various units of measure found on receipts from Cal's Enterprises pertaining to waste pickup at Armstrong's Braintree Plant. Include, but do not limit your answer to the volume capacity of each unit and the frequency of disposal pickup of each. In particular define:
- i. Comp. No-1 (see exhibit 3);
  - ii. Comp. No-2 (see exhibit 4);
  - iii. Comp. No-3;
  - iv. Load (see exhibit 5);
  - v. Open top container (see exhibit 14 ); and
  - vi. O/T .
- R. Provide information regarding the following "Drivers Daily Report" pertaining to waste generated by Armstrong Cork and picked up at the Braintree Plant by drivers from Cal's

Enterprises and disposed of at J.M. Mills Landfill.

- i. (See Exhibit 2) Refer to the Daily Report dated 9/2/78:
  - a. Define "Armstrong Cork rubbish".
- ii. (See Exhibit 3) Refer to the Daily Report dated 10/6/78:
  - a. Explain what is meant by "Empty Armstrong from 10/5/78 at Mills Cumberland."
  - b. Explain what is meant by "Exchange Armstrong Comp. No-1."
  - c. Explain what is meant by "Empty at Mills."
  - d. Define "Comp. No-1."
  - e. What type of materials were stored in "Comp. No-1"?
- iii. (See exhibit 4) Refer to the Daily Report dated 11/10/78:
  - a. Explain what is meant by "Exchange Armstrong Comp. No-2."
  - b. Explain what is meant by Empty Armstrong No-1 from 11/9/78 at Mills."
  - c. Define "Comp. No-2."
  - d. What type of materials were stored in "Comp. No-2."
- iv. (See exhibit 5) Refer to the Daily Report dated 11/27/78:
  - a. Explain what is meant by "Take Armstrong load to Mills."
  - b. Explain what is meant by "Pulled by Hand."
  - c. Define "load."
- v. (See exhibits 6 and 12) Refer to the Daily Report dated 12/13/78:
  - a. Explain what is meant by "M.T. Armstrong Container at J.M. Mills."
  - b. Define "M.T."
  - c. Define "Armstrong Container."
- vi. (See exhibit 7) Refer to the Daily Report dated 12/16/78:
  - a. Explain what is meant by "Armstrong Cork, Braintree, #2 rubbish to Mills."
- vii. (See exhibits 8 and 13 ) Refer to the Daily Report dated 1/24/79:
  - a. What is the "pit"?
  - b. Where is the "pit" located?
  - c. What type of container is in the "pit"?
  - d. What materials are in the "pit"?
- viii. (See exhibit 9) Refer to the Daily Report dated 1/31/79:
  - a. Explain what is meant by "Armstrong Cork on truck from 1/30/79 to J.M. Mills."
- ix. (See exhibit 10) Refer to the Daily Report dated 4/19/79:
  - a. What is meant by "Roll off empty put on Armstrong Cork #1"?
  - b. What is an "empty" as used in the context of this report?
  - c. Define "Armstrong Cork #1".
  - d. What type of materials were stored in "Armstrong Cork #1"?
  - e. What is the volume of "Armstrong Cork #1"?
- x. (See exhibit 11) Refer to the Daily Report dated 5/5/79:
  - a. Define "Armstrong Cork #2".
  - b. What type of materials were stored in "Armstrong Cork #2"?
  - c. What is the volume of "Armstrong Cork #2"?
  - d. Explain the fire incident.
- xi. (See exhibit 14) Refer to the Daily Report dated 6/18/79:

- a. What is meant by "Empty Armstrong open-top Container at Mills"?
  - b. Define "open-top container"?
  - c. What is the volume of the "open-top container"?
- xii. (See exhibit 15) Refer to the Daily Report dated 6/19/79:
  - a. What is meant by "Exchange Armstrong No-2, Empty at Mills"?
  - b. What is meant by "Exchange Armstrong No-1, Empty at Mills"?
- xiii. (See exhibit 17) Refer to the Daily Report dated 1/26/81:
  - a. What is meant by "Empty Armstrong No-2 from Sugarman to Mills 1/23/81 Load"?
  - b. What is "Sugarman"?
  - c. Where is "Sugarman"?
- xiv. (See exhibit 18) Refer to the Daily Report dated 1/27/81:
  - a. What is meant by "Empty Armstrong at Sugarman from 1/26/81 to Mills"?

2. Compliance with This Request:

a. Describe all sources reviewed or consulted in responding to this request, including but not limited to:

- i. the names of all individuals consulted;
- ii. the current job title and job description of each individual consulted;
- iii. the job title and job description during the period being investigated of each individual consulted;
- iv. whether each individual consulted is a current or past employee of Respondent;
- v. the names of all divisions of Respondent for which records were reviewed;
- vi. the nature of all documents reviewed;
- vii. the locations where those documents reviewed were kept prior to review; and
- viii. the location where those documents reviewed are currently kept.

3. Information About Others

a. If not already included in your response, if you have reason to believe that there may be persons able to provide a more detailed or complete response to any of the parts to this information request or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.

b. If not already provided, identify all persons, including Respondent's current and former employees, who have knowledge or information about the generation, use, purchase, treatment, storage, disposal, placement or other handling of substances listed in the Survey at the site, or transportation of any of these substances to the Site.

## INFORMATION REQUEST INSTRUCTIONS

1. Answer Every Question Completely. You are required to provide a separate answer to each and every question and subpart of a question set forth in this Information Request. Incomplete, evasive, or ambiguous answers shall constitute failure to respond to this Information Request and may subject you to the penalties set out in the cover letter.
2. Number Each Answer. Number each answer with the number of the question to which it corresponds.
3. Provide Information about the Period Being Investigated. You are required to answer each question with respect to the period being investigated. If the response fails to address the period being investigated, EPA will consider this a failure to comply with the request and may take action against you for this noncompliance.
4. Provide the Best Information Available. You must provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered non-compliance with this Information Request.
5. Identify Sources of Answer. For each question, identify (see Definitions) all the persons and documents that you relied on in producing your answer.
6. Submit Documents with Labels Keyed to Question. For each document produced in response to this Information Request, indicate on the document (or in some other reasonable manner) the number of the question to which it responds.
7. Continuing Obligation to Provide/Correct Information. If additional information or documents responsive to this Request become known or available to you after you respond to this Request, EPA hereby requests pursuant to CERCLA Section 104(e) that you supplement your response to EPA. Failure to supplement your response within 30 days of discovering such responsive information may subject you to \$27,500 per day penalties. If at any time after the submission of this response, you discover or believe that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response. If any part of the response to this Information Request is found to be false, the signatory to the response and the company may be subject to criminal prosecution.
8. Complete the Enclosed Declaration. You are required to complete the enclosed declaration which certifies that the information you are providing in response to this Information Request is true, accurate, and complete.
9. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a

confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. §§ 9604(e)(7)(E) and (F), and Section 3007(b) of RCRA, 42 U.S.C. § 6927(b), and 40 C.F.R. § 2.203(b). All information claimed to be confidential should be contained on separate sheet(s) and should be clearly identified as "trade secret" or "proprietary" or "company confidential." Personal financial information, including individual tax returns, may also be claimed as confidential. In addition, please note that you bear the burden of substantiating your confidentiality claim. Your claim of confidentiality should be supported by the submission of information supporting such a claim; the type of information to be submitted is set out in 40 C.F.R. Part 2. Information covered by a claim of confidentiality will be disclosed by EPA only to the extent, and only by means of the procedures, provided in 40 C.F.R. §§ 2.201-2.311. **If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.** You should read the above cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

10. Disclosure to EPA Contractor. Information which you submit in response to this Information Request will be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. 2.310(h), even if you assert that all or part of it is confidential business information. Please be advised that EPA intends to disclose all responses to this Information Request to one or more of its private contractors listed in the attached EPA Contractor List for the purpose of organizing and/or analyzing the information contained in the responses to this Information Request. If you are submitting information which you assert is entitled to treatment as confidential business information, you may comment on this intended disclosure within fourteen (14) days of receiving this Information Request.

11. Personal Privacy Information. Personnel and medical files, and similar files the disclosure of which to the general public may constitute an invasion of privacy should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information." You should note, however, that unless prohibited by law, EPA may disclose this information to the general public without further notice to you. (Please see Instruction 9 for information concerning treatment of individual tax returns.)

12. Objections to Questions. While the Respondent may indicate that it objects to certain questions in this Information Request, it must provide responsive information notwithstanding those objections. To object without providing responsive information may subject Respondent to the penalties set out in the cover letter.

13. Claims of Privilege. If you claim that any document responsive to this Information Request is a communication for which you assert that a privilege exists for the entire document, identify (see Definitions) the document and provide the basis for asserting the privilege. For any document for which you assert that a privilege exists for a portion of it, provide the portion of the document for which you are not asserting a privilege, identify the portion of the document for which you are asserting the privilege, and provide the basis for such an assertion. Please note that regardless of the assertion of any privilege, any facts contained in the document which are responsive to the Information Request must be disclosed in your response.

## EPA CONTRACTOR LIST

### CONTRACTOR

### CONTRACT NUMBER

Techlaw, Inc.

ZES Contract #68-W-019

Subcontractors (as of 1/28/99):

Blake Investigative Services

Northbridge Environmental Management Consultants

Watts Engineering

Podziba & Associates

Arctic Slope Regional Corporation (ASRC) Aerospace  
Effective: 11/16/00

Contract #68-W-01-002

Booz, Allen & Hamilton

GSA ANSWER Contract GS09K99BHD0002, Task ID: R16800391

Effective: 10/05/00



## INFORMATION REQUEST DEFINITIONS

All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, 42 U.S.C. Section 9601 et seq., RCRA, 42 U.S.C. Section 6901 et seq., or Volume 40 of the Code of Federal Regulations ("C.F.R."), in which case such statutory or regulatory definitions shall apply.

The following definitions shall apply to the following words as they appear in this Enclosure:

1. The term "you" or "Respondent" shall mean the addressee of this Request, the addressee's officers, managers, employees, contractors, trustees, successors, assigns, and agents, and any predecessor or successor corporations or companies.
2. The terms "document" and "documents" shall mean any method of recording, storing, or transmitting information. "Document" shall include but not be limited to:
  - I. writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including (by way of illustration and not by way of limitation) any of the following:
    1. invoice, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order;
    2. letter, correspondence, fax, telegram, telex;
    3. minutes, memorandum of meetings and telephone and other conversations, telephone messages;
    4. agreement, contract, and the like;
    5. log book, diary, calendar, desk pad, journal;
    6. bulletin, circular, form, pamphlet, statement;
    7. report, notice, analysis, notebook;
    8. graph or chart; or
    9. copy of any document.
  - (b) microfilm or other film record, photograph, or sound recording on any type of device;
  - (c) any tape, disc, or other type of memory generally associated with computers and data processing, together with:
    1. the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory; and
    2. printouts of such punch card, disc, or disc pack, tape or other type of memory; and
  - (d) attachments to or enclosures with any document as well as any document referred to in any other document.
3. The term "identify" or "provide the identity of" means, with respect to a natural person, to set

forth: (a) the person's full name, (b) present or last known business and home addresses and telephone numbers; (c) present or last known employer (include full name and address) with job title, position or business; and (d) the person's social security number.

4. The term "identify" or "provide the identity of" means, with respect to a corporation, partnership, business trust, government office or division, or other entity (including a sole proprietorship), to set forth: (a) its full name; (b) complete street address; (c) legal form (e.g. corporation, partnership, etc.); (d) the state under whose laws the entity was organized; and (e) a brief description of its business.

5. The term "identify" or "provide the identity of" means, with respect to a document, to provide: (a) its customary business description (e.g., letter, invoice); (b) its date; (c) its number if any (e.g., invoice or purchase order number); (d) the identity of the author, addressor, addressee and/or recipient; (e) and a summary of the substance or the subject matter. Alternatively, Respondent may provide a copy of the document.

6. The term "material" or "materials" shall mean any and all objects, goods, substances, or matter of any kind, including but not limited to wastes.

7. The terms "the period being investigated" and "the relevant time period" shall mean the period being investigated as specified on the first page of the Information Request Questions.

8. The terms "the Site" or "the facility" shall mean and include the property on or about the property locally known as the J. M. Mills Landfill in Cumberland, RI and further identified by EPA as the Second Operable Unit of the Peterson/Puritan, Inc. Superfund Site which is more fully described in the enclosed Site Description.

9. The term "waste" or "wastes" shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge, including but not limited to containers for temporary or permanent holding of such wastes.

## **SITE DESCRIPTION**

The Second Operable Unit (OU) of the Peterson/Puritan, Inc. Superfund Site is located in the town of Cumberland, in the north-central portion of the State of Rhode Island. The second OU is also known locally and in part as the J. M. Mills Landfill. The Site is surrounded by industrial, residential and semi-rural properties. Bordering the Site to the north is the Hope Webbing Company property located at 88 Martin Street. To the south is the Stop and Shop Market (and strip mall) on Mendon Road (Route 122). To the east is the Mackland Sand and Gravel operations and wetlands formerly known locally as "New River". Finally, to the west is the Blackstone River.

EPA has reason to believe the Site was used for disposal of wastes, including wastes containing hazardous substances, from approximately 1954 to 1986. Within this period of time, the property was primarily used as a privately-owned, mixed municipal and industrial landfill. Sewer sludge was also disposed as part of the daily operation. Various types of large, bulky solid materials (including, but not limited to, tanks, crushed drums, pre-formed concrete structures, railroad ties, demolition debris) are deposited aside of the landfill, along the north and south access roads and along the bank of the river. The Site includes an area to the south of the landfill which was a former transfer station. Materials were stored along the Providence and Worcester rail road tracks to the east bank of the Blackstone River. To the west, and including the Pratt Dam, there is an access point to a small unnamed island within the river. The Site also includes two access roads, current and former, from Martin Street to the north and Route 122 (Mendon Road) to the south. The now closed Lennox Street municipal well in Cumberland is located approximately 1000 feet South-east from the flank of the landfill. This well was closed by the Rhode Island Department of Health in 1979 due to the presence of volatile organic contaminants found in the supply water.

Preliminary samples taken from the Site indicate the presence of volatile organic contaminants (including, but not limited to, trichloroethylene, freon 11, 1,2-dichloroethene, 1,1,1-trichloroethane, benzene) and chromium, nickel, lead, in groundwater. Contaminants found in soils and sediments include benzo(a)pyrene, chrysene, indeno(1,2,3-cd)pyrene, bis(2-ethylhexyl)phthalate, aroclors, and asbestos insulation/transite.

EPA included the Peterson/Puritan, Inc. Site (which includes the J.M. Mills landfill) on the Superfund National Priorities List on September 8, 1983. EPA conducted two separate removal actions on the landfill (September 25, 1991 and September 12, 1997, respectfully) to prevent and maintain controls of unauthorized access to the property and protect against exposures to identified harmful contaminants until further assessments are made. EPA plans to conduct a Remedial Investigation and Feasibility Study to assess the need for additional environmental response(s) at the Site pending formal negotiations with Potentially Responsible Parties for conducting and/or financing the work.

**END OF THE INFORMATION REQUEST**

**THANK YOU FOR YOUR ATTENTION TO THIS MATTER**

**ENCLOSURE B**

**List of Potentially Responsible Parties Which Received Notice  
Peterson/Puritan, Inc. Operable Unit 2**

**Bestfoods (formerly CPC Int.)**  
International Plaza, P.O. Box 8000  
Englewood Cliffs, NJ 07632

Contact: David F. Rogers, Manager  
Environmental Affairs  
(201) 894-2289

Counsel: Dennis H. Esposito  
Adler, Pollock and Sheehan  
2300 Hospital Trust Tower  
Providence, RI 02903-2443  
(401) 751-0604

**Waste Management of North America**  
3003 Butterfield Road  
Oak Brook, IL 60521

Contact: William L. Walsh, Director  
Environmental Claims  
Management  
Advanced Analytical  
Solutions, Inc.  
4 Glenhardie Corporate  
Center  
1255 Drummers Lane,  
Suite 320  
Wayne, PA 19087  
(610) 254-4700

Counsel: Roy P. Giarrusso, Esq.  
Giarrusso, Norton, Cooley &  
McGlone, P.C.  
Marina Bay  
308 Victory Road  
Quincy, MA 02171  
(617) 770-2900

**Mr. David J. Brask**  
217 O'Neil Boulevard  
Attleboro, MA 02703

Contact: Mr. David Brask  
Brask Enterprises  
(508) 222-5700

Counsel: Richard A. Gonnella, Esq.  
Attorney & Counselor at Law  
The Remington Building  
91 Friendship Street  
Providence, RI 02903-3819  
(401) 521-4420

**Ms. Linda Marszalkowski**  
4651 Gulf Shore Boulevard #1501  
Naples, FL 34103

Contact: Ms. Linda Marszalkowski  
c/o J. M. Mills Landfill  
(Same as above)  
(941) 261-5278

Counsel: Melody A. Alger, Esq.  
Bauch, Gianfrancesco,  
Mathieu and Szerlag  
155 South main Street,  
Suite 404  
Providence, RI 02903-2963  
(401) 331-1434

**CCL Custom Manufacturing, Inc.**  
(Successor to Peterson/Puritan, Inc.)  
6133 North River Road, Suite 800  
Rosemont, IL 60018

Counsel: Jonathan A. Murphy, Esq.  
Lester, Schwab, Katz &  
Dwyer  
120 Broadway  
New York, NY 10271-0071  
(202) 341-4206

**Clean Harbors, Inc.**  
385 Quincy Avenue  
Braintree, MA 02184

Counsel: William Geary, Esq.  
General Counsel  
(781) 849-1800 ext. 4453

Counsel: Roy P. Giarrusso, Esq.  
Giarrusso, Norton, Cooley &  
McGlone, P.C.  
Marina Bay  
308 Victory Road  
Quincy, MA 02171  
(617) 770-2900

**Corning, Inc.**  
1 Riverfront Plaza  
Corning, NY 14830

Contact: Roger G. Ackerman, CEO  
Corning, Inc.  
607-974-9000

Counsel: Rick Geiger, Esq.  
607-255-5838

**Nunes Disposal, Inc.**  
Mendon Road  
Cumberland, RI 02864

Contact: Michael Nunes, President  
Nunes Disposal, Inc.  
(401) 861-9040

Counsel: Albert B. West, Esq.  
Manning & West  
1500 BankBoston Plaza  
Suite 1500  
Providence, RI 02903  
(401) 658-4300

**Michael John Realty**  
176 Sherman Avenue  
Seekonk, MA 02771-4914

Contact: John A. Nunes, President  
Michael John Realty  
Seekonk, MA 02771-4914  
(401) 724-6430

Counsel: Albert B. West, Esq.  
Manning & West  
1500 BankBoston Plaza  
Suite 1500  
Providence, RI 02903  
(401) 658-4300

17334

SITE: Percepsion Traction  
 BREAK: U. 9 Evidence  
 OTHER: None

REDACTED - Attachment 3a - REDACTED  
 Carrier Survey in Response to Request 5(a) for Cal's Enterprises, Inc.

Customer Name	Type of Business	Waste Description	Container Type	Pick-up Frequency	Source of Information (and dates of tenure)	Disposal Location (and Relevant Time Period)
Aberthaw Construction	Mansfield, MA construction company	construction debris	30-yd. open box	short-term relief pick-ups of several months with infrequent Site disposals	driver (1972-1985)	J.M. Mills Landfill late 1970s-early 1980s
Alpine Press	Stoughton, MA book publisher	a lot of paper waste; rear-load drivers might have hauled some ink waste	42-yd. packer box; other drivers hauled a rear-load box that might have contained some ink waste	relief stops with infrequent Site disposals	driver (1972-1985)	J.M. Mills Landfill late 1970s-early 1980s
American Motors/Nissan	auto parts warehouse	reject auto parts	42-yd. packer	relief stops with infrequent Site disposals	driver (1972-1985)	J.M. Mills Landfill late 1970s-early 1980s
Armstrong Cork Company	Braintree, MA plant reportedly produced materials for the U.S. Military	large quantities of black cork insulation material, 8-foot long black cork tubes possibly used for pipe insulation, large sheets of black cork material that may have been used as padding in the hulls of naval ships, a lot of black dust, dirty rags, cans with unknown residues and cardboard drums that contained some black dust or powder	42-yard packer box	daily and sometimes twice daily, Site disposals were frequent and sometimes daily for a couple of years in the late 1970s or early 1980s)	driver (early 1970s-1986)	J.M. Mills Landfill (late 1970s or early 1980s)

0042-0305

REDACTED - Attachment 3a - REDACTED  
Carrier Survey in Response to Request 5(a) for Cal's Enterprises, Inc.

Customer Name	Type of Business	Waste Description	Container Type	Pick-up Frequency	Source of Information (and dates of tenure)	Disposal Location (and Relevant Time Period)
Armstrong Cork Company (continued)	Braintree, MA plant reportedly produced materials for the U.S. Military	automotive gaskets and possibly some other assorted shop waste	second roll-off box, either 30- or 42-yds, from the rear of the Armstrong plant	twice weekly	driver (early 1970s-1986)	J.M. Mills Landfill (late 1970s or early 1980s)
	Braintree, MA plant manufactured cork products	cardboard drums with black powder residues, assorted cork material including long cork tubes	one 30-yd. and one 42-yard packerf box	relief stops with some Site disposals	driver (1972-1985)	J.M. Mills Landfill late 1970s-early 1980s
Avon Products	jewelry warehouse in Mansfield, MA	boxes, paper and damaged goods	42-yd. packer	relief stops with infrequent Site disposals	driver (1972-1985)	J.M. Mills Landfill late 1970s-early 1980s
Benjamin Moore Paint Company	paint company located in Milford, MA	paint waste which usually leaked from the box, squashed paint cans containing varying amounts of paint, and sometimes full cases of reject paint	42-yard packer	occasional stops, with a few sporadic disposals at the Site	driver (early 1970s-1986)	J.M. Mills Landfill (late 1970s or early 1980s)
	paint company in Milford, MA	squashed paint cans; full cans of reject paint	42-yd. packer	weekly stops with some Site disposals	driver (1972-1985)	J.M. Mills Landfill late 1970s-early 1980s

0042-0306

COPY

DATE: 9-2-1978 DRIVER: A. Balineau TRUCK # 32 TOTAL HOURS WORKED: \_\_\_\_\_ HOURS LUNCH: \_\_\_\_\_SPEEDOMETER: START 72698 FINISH 72869 FUEL: 43 GALS. OIL: \_\_\_\_\_ QUARTS: \_\_\_\_\_A - Packer Truck  
B - Roll-off  
C - Landfill OperatorD - Hauling to Landfill  
E - Paper Trucking  
F - Trucking

START	FINISH	DESCRIPTION	HOURS	CODE
7:00	7:45	Put on open top roll-off at Cal's Landfill put on compactor	3/4	B
7:45	10:45	Grossman Wellerby to Hillis, R.I.	3	B
10:45	1:45	Armstrong Corp rubbish to Hillis, R.I.	3	B
1:45	4:45	Grossman Retail, Bristow return to Cal's	3	B
4:45	5:00	Fuel Truck	1/4	

## THIS SECTION FOR OFFICE USE ONLY

A	B	C	D	E	F	G	H	J	K	L	N	O	TOTALS
	✓ 10												
1011C	1011D	1017G	1017H	1018J	1011	1011	1011	1016Q	1017Q	1018Q	1019		

0042-0307

WM0005514

Exhibit 2



CAL'S ENTERPRISES - DRIVERS DAILY REPORT

COPY

DATE: 10-6-78 DRIVER: Chuster TRUCK # 11 TOTAL HOURS WORKED: \_\_\_\_\_ HOURS LUNCH: \_\_\_\_\_

SPEEDOMETER: START 22907 FINISH \_\_\_\_\_ FUEL: \_\_\_\_\_ GALS. OIL: \_\_\_\_\_ QUARTS: \_\_\_\_\_

A - Packer Truck  
B - Roll-off  
C - Landfill Operator  
D - Hauling to Landfill  
E - Paper Trucking  
F - Trucking

START	FINISH	DESCRIPTION	HOURS	CODE
15:00		Exchange Sears Boston Empty at Sugar		
	10:00	Empty Armstrong from 10-5-78 at Mills Cumberland	5	
10:00	12:30	Unload Armstrong by hand 2 1/2 hours 10:00 To 12:30	2 1/2	
12:30	5:30	Exchange Armstrong Comp no-1 Empty at Mills	5	
5:30		Dump container at Meloding Ship		
	6:30	Deliver container To Ruggs for Painting	1	

THIS SECTION FOR OFFICE USE ONLY

A	B	C	D	E	F	G	H	J	K	L	N	O	P	TOTALS
	13 1/2													
1011C	1011D	1017G	1017H	1018J	1011	1011	1011	1016Q	1017Q	1018Q	1019			

0042-0308

Exhibit 3

WM0005654

COPY

A - Packer Truck  
B - Roll-off  
C - Landfill Operator  
D - Hauling to Landfill  
E - Paper Trucking  
E - Trucking

0042-0309

A	B	C	D	E	F	G	H	J	K	L	N	O	P	TOTALS
	10 <sup>3</sup> 4													
1011C	1011D	1017G	1017H	1018J	1011	1011	1011	1016Q	1017Q	1018Q	1019			

Exhibit 4

COPY

SPEEDOMETER: START 145055 FINISH 143253 FUEL: 50 3/4 GALS. OIL: QUARTS:

D - Hauling to Landfill  
E - Paper Trucking  
E - Trucking

**THIS SECTION FOR OFFICE USE ONLY**

Exhibit 5

0042-0310

WM0003357

CAL'S ENTERPRISES - DRIVERS DAILY REPORT

DATE: 12/13/78 DRIVER: Mik, Slen TRUCK # 34 TOTAL HOURS WORKED: \_\_\_\_\_ HOURS LUNCH: \_\_\_\_\_

SPEEDOMETER: START 25519 FINISH 25663 FUEL: 33.2 GALS. OIL: \_\_\_\_\_ QUARTS: \_\_\_\_\_

A - Packer Truck  
B - Roll-off  
C - Landfill Operator  
D - Hauling to Landfill  
E - Paper Trucking  
F - Trucking

START	FINISH	DESCRIPTION	HOURS	CODE
5:43	6:30	Service Truck & Put on Aestimating Container from Pit		
7:15	9:00	Habeco Mansfield - M.T. Compactor at Mansfield Landfill		
9:30	10:15	M.T. Aestimating Container at J. M. Mills		
11:05	1:15	Foster Forks - Change Compactor to <del>J. M. Mills</del>		
1:15	2:50	America Mtn. - M.T. Compactor at Mansfield Landfill		
3:05	4:35	Comfab - M.T. - O.T. Container at Mansfield Landfill		
4:35	5:45	Transport Foster Forks to Cal		
5:45	6:00	Service Truck		

THIS SECTION FOR OFFICE USE ONLY

A	B	C	D	E	F	G	H	J	K	L	N	O	P	TOTALS
	12/14													
1011C	1011D	1017G	1017H	1018J	1011	1011	1011	1016Q	1017Q	1018Q	1019			

Exhibit 6

0042-0311

WM0003403

COPY

SPEEDOMETER: START 80061 FINISH 80161 FUEL: 26 GALS. OIL: \_\_\_\_\_ QUARTS: \_\_\_\_\_

## E - Trucking

**THIS SECTION FOR OFFICE USE ONLY**

Exhibit 7

0042-0312

WM0003395

CAL'S ENTERPRISES - DRIVERS DAILY REPORT

COPY

DATE: 1-24-79 DRIVER: Jon Ponte TRUCK # 66 TOTAL HOURS WORKED: \_\_\_\_\_ HOURS LUNCH: \_\_\_\_\_

SPEEDOMETER: START 19383 FINISH 19528 FUEL: 30.2 GALS. OIL: \_\_\_\_\_ QUARTS: \_\_\_\_\_

A - Packer Truck  
B - Roll-off  
C - Landfill Operator  
D - Hauling to Landfill  
E - Paper Trucking  
E - Trucking

START	FINISH	DESCRIPTION	HOURS	CODE
6:00		Armstrong Cork (Container in Pit) to J.M. Mills		B
		Foster Forbes Milford to J.M. Mills		B
		Arvon Products Mansfield O.T. to Mansfield landfill		B
5:00		Franklin Sports Stoughton to Cal's shop		B

THIS SECTION FOR OFFICE USE ONLY

A	B	C	D	E	F	G	H	J	K	L	N	O	P	TOTALS
	11													
1011C	1011D	1017G	1017H	1018J	1011	10	1011	1016Q	1017Q	1018Q	1019			

0042-0313

Exhibit 8

WM0003505

CAL'S ENTERPRISES - DRIVERS DAILY REPORT

COPY

DATE: 1/31/79 DRIVER: Jon Ponte TRUCK # 66 TOTAL HOURS WORKED: \_\_\_\_\_ HOURS LUNCH: \_\_\_\_\_

SPEEDOMETER: START 20002 FINISH 20169 FUEL: \_\_\_\_\_ GALS. OIL: \_\_\_\_\_ QUARTS: \_\_\_\_\_

A - Packer Truck  
B - Roll-off  
C - Landfill Operator  
D - Hauling to Landfill  
E - Paper Trucking  
F - Trucking

START	FINISH	DESCRIPTION	HOURS	CODE
6:00		Armstrong Cork on truck from 1/30/79 to J.M. Mills		B
		Poster Forbes Millford to J.M. Mills		B
		Avon Mansfield to landfill (O.T.)		B
		Baltimore Brush Bracketon to Cal's <del>shop</del> landfill		B
	5:30	Halliday Lithograph to Cal's shop		B

THIS SECTION FOR OFFICE USE ONLY

A	B	C	D	E	F	G	H	J	K	L	N	O	P	TOTALS
	11 <sup>3/4</sup>													
1011C	1011D	1017G	1017H	1018J	1011	1011	1011	1016Q	1017Q	1018Q	1019			

Exhibit 9

0042-0314

WM0003328

COPY

DATE: 4-19-1979 DRIVER: A. Bahinean TRUCK # 32 TOTAL HOURS WORKED: \_\_\_\_\_ HOURS LUNCH: \_\_\_\_\_

SPEEDOMETER: START 88570 FINISH 88729 FUEL: 57 GALS. OIL: \_\_\_\_\_ QUARTS: \_\_\_\_\_

- A - Packer Truck  
B - Roll-off  
C - Landfill Operator  
D - Hauling to Landfill  
E - Paper Trucking  
E - Trucking

START	FINISH	DESCRIPTION	HOURS	CODE
5:30		Roll off empty yard on Armstrong Sub #1, buy fuel on Rt 24		
	7:30	empty Armstrong at Mills	2	
7:30	10:15	Forster Forber, Milford to Mills	2 3/4	
10:15	10:45	Stanby	1/2	
10:45		15 West #3138 Milford, Compo Industries to		
	2:45	Manfield Dump, empty 15 West Cal's paper shop	4	
2:45	5:00	Pinson House #3 to Cal's paper shop	2 1/4	
5:00		Fernandez #1 Foster to Cal's paper shop roll off		
	7:45	compostor	2 3/4	
7:45	8:00	Fuel truck	1/4	

THIS SECTION FOR OFFICE USE ONLY

A	B	C	D	E	F	G	H	J	K	L	N	O	P	TOTALS
	14 1/2													
1011C	1011D	1017G	1017H	1018J	1011	1011	1011	1016Q	1017Q	1018Q	1019			

0042-0315

WM0003116

Exhibit 10



CAL'S ENTERPRISES - DRIVERS DAILY REPORT

COPY

DATE: 5-5 DRIVER: Bob Arnold TRUCK # 12 TOTAL HOURS WORKED: 10 1/2 HOURS LUNCH: —

SPEEDOMETER: START 121748 FINISH 121960 FUEL: 46 GALS. OIL: 4 QUARTS: —

A - Packer Truck D - Hauling to Landfill  
B - Roll-off E - Paper Trucking  
C - Landfill Operator E - Trucking

START	FINISH	DESCRIPTION	HOURS	CODE
6:00			7 1/2	
6:15	10:30	Armstrong Crk # 1 - Mills		
		Armstrong Crk # 2 - standby	1 1/2	
		1 1/2 hrs.		
		# 2 on fire - Remove - put		
		fire out - put back on machine		
10:30	1:30	Groomans - Don 17 - Benitue - Mills	3	
1:30	4:15	Groomans - Retail Store - Cals	2 1/2	
4:15	4:30	Reefull	1/4	
6:30	4:30 PM		10 1/2	

THIS SECTION FOR OFFICE USE ONLY

A	B	C	D	E	F	G	H	J	K	L	N	O	P	TOTALS
	10 1/2													
1011C	1011D	1017G	1017H	1018J	1011	1011	1011	1016Q	1017Q	1018Q	1019			

0042-0316

Exhibit 11

WM0003245

COPY

SPEEDOMETER: START 40337 FINISH 40573 FUEL: 46.0 GALS. OIL: — QUARTS:

[illegible]

0042-0317

A	B	C	D	E	F	G	H	J	K	L	N	O	P	TOTALS
	13'14													
1011C	1011D	1017G	1017H	1018J	1011	1011	1011	1016Q	1017Q	1018Q	1019			

WM0004299

CAL'S ENTERPRISES - DRIVERS DAILY REPORT

COPY

DATE: 6-6-79 DRIVER: Jim Ponte TRUCK # 66 TOTAL HOURS WORKED: \_\_\_\_\_ HOURS LUNCH: \_\_\_\_\_

SPEEDOMETER: START 29851 FINISH 30044 FUEL: 34.5 GALS. OIL: \_\_\_\_\_ QUARTS: \_\_\_\_\_

A - Packer Truck D - Hauling to Landfill  
B - Roll-off E - Paper Trucking  
C - Landfill Operator E - Trucking

START	FINISH	DESCRIPTION	HOURS	CODE
6:45		changed flat tire		
		Plumpton on tire to Cal's landfill		B
		Armstrong Cork in Pit to J.M. Mills		B
		Turner Cont. o.t. rubble to Mansfield landfill		B
		Avon Mansfield to Cal's shop		B
	5:34	K Mart Milford to Cal's shop		B

0042-0318

THIS SECTION FOR OFFICE USE ONLY

A	B	C	D	E	F	G	H	J	K	L	N	O	P	TOTALS
	9 3/4				1									
1011C	1011D	1017G	1017H	1018J	1014D	1011	1011	1016Q	1017Q	1018Q	1019			

Exhibit 13

WM0004076



COPY

A - Packer Truck  
B - Roll-off  
C - Landfill Operator  
D - Hauling to Landfill  
E - Paper Trucking  
E - Trucking

0042-0320

A	B	C	D	E	F	G	H	J	K	L	N	O	P		TOTALS
	12 1/2														
1011C	1011D	1017G	1017H	1018J	1011	1011	1011	1016Q	1017Q	1018Q	1019				

Exhibit 15

COPY

SPEEDOMETER: START 21246 FINISH 21433 FUEL: 25.6 GALS. OIL: — QUARTS: —

[illegible]

1011D	1144D	1013C	1013D	1111E	1144E	1147	1011R	1011V	1013V	1147V	1116V	1111V		
93														
ACA	AJC	ACB	ACB	AGA	AJC	AJF	ACG	ACG	ACG	AJG	AGG	AGG		

WM0005192

COPY

## CAL'S ENTERPRISES - DRIVERS DAILY REPORT

DATE 1-24-81 DRIVER: Chuster TRUCK # 11 TOTAL HOURS WORKED: \_\_\_\_\_ HOURS LUNCH: \_\_\_\_\_SPEEDOMETER: START 22469 FINISH 22485 FUEL: 36 32 9/10 GALS. OIL: \_\_\_\_\_ QUARTS: \_\_\_\_\_

TIME WRITTEN ON DAY SHEET SHOULD AGREE WITH TIME PUNCHED ON TIME CARD  
TURN IN SLIPS FOR ALL WORK DONE EACH DAY.

START	FINISH	DESCRIPTION	HOURS	CODE
5:54	7:30	Empty Trunkles from Pit to Sugman Rio Plaza		
7:30	9:00	Empty Amstrong No-2 from Sugman to Mills 1-23-81 Load		
9:00	11:00	Exchange Amstrong No-2 Roll off at Sugman		
11:00	1:00	Exchange Sears Roebuck Empty at Sugman		
1:00	2:30	Exchange Radio Shack No-2 Empty at Sugman		
2:30	4:38	Exchange Grossman's Retail Business Roll off in Pit		
		1011D 40 day 16 1/4 OT		

## THIS SECTION FOR OFFICE USE ONLY

1011D	1144D	1013C	1013D	1111E	1144E	1147	1011R	1011V	1013V	1147V	1116V	1111V
10 <sup>3</sup> / <sub>4</sub>												
AGA	AJC	ACB	ACB	AGA	AJC	AJF	ACG	ACG	ACG	AJG	AGG	AGG

0042-0322

Exhibit 17

WM0004784

CAL'S ENTERPRISES - DRIVERS DAILY REPORT

COPY

DATE: 1-27-81 DRIVER: Chester TRUCK # 11 TOTAL HOURS WORKED: \_\_\_\_\_ HOURS LUNCH: \_\_\_\_\_

SPEEDOMETER: START 224885 FINISH 225124 FUEL: 72 GALS. OIL: \_\_\_\_\_ QUARTS: \_\_\_\_\_

TIME WRITTEN ON DAY SHEET SHOULD AGREE WITH TIME PUNCHED ON TIME CARD  
TURN IN SLIPS FOR ALL WORK DONE EACH DAY.

START	FINISH	DESCRIPTION	HOURS	CODE
6:00	7:30	Empty fuel tanks Walpole from Pit to Sugarmore		
7:30	10:00	Empty Armstrongs open top Empty at Piquet Sheds		
10:00	1:00	Exchange Sears Boston Empty at Sugarmore		
1:00	2:30	Empty Armstrongs at Sugarmore from 1-26-81 to Mills		
2:30	5:34	Exchange Armstrongs No-2 Roll off in Pit		

THIS SECTION FOR OFFICE USE ONLY

0042-0323

1011D	1144D	1013C	1013D	1111E	1144E	1147	1011R	1011V	1013V	1147V	1116V	1111V		
112														

Exhibit 18

WM0004785





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I  
ONE CONGRESS STREET SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

## ***FACSIMILE TRANSMISSION***

### **RESTRICTED INFORMATION**

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To: *Beth Davis*

Fax: 404-870-8187

From: *Pat Meawey*

Date: 8/6/01

Number of pages including cover: 41 (*Submitted in sets, 10 pgs per set*)

Return Fax: 617-918-1291

**Message:**

**URGENT LEGAL MATTER -- PROMPT REPLY NECESSARY**  
**CERTIFIED MAIL: RETURN RECEIPT REQUESTED**

Mr. Stan Steinrech  
Vice President, Corporate Relations  
Armstrong Holdings, Inc.  
c/o Elizabeth B. Davis, Esq.  
Womble Carlyle Sandridge & Rice, PLLC  
3500 One Atlantic Center  
1201 West Peachtree Street  
Atlanta, GA 30309

Re: **Notice of Potential Liability and Request for Supplemental Information** Pursuant to  
Section 104 of CERCLA for the Peterson/Puritan, Inc. Superfund Site, Operable Unit 2  
which includes the J. M. Mills Landfill, Cumberland, RI.

Dear Ms. Davis:

This letter serves to formally notify Armstrong Holdings, Inc. of the potential liability which it has or may have incurred with respect to Operable Unit Two of the Peterson/Puritan, Inc. Superfund Site, which includes the J. M. Mills Landfill in Cumberland, Rhode Island ("Site"). This letter requests that you pay certain costs related to the Site and that you prepare to participate in the conduct or financing of certain clean-up activities at the Site. This letter also seeks your cooperation in providing further information and documents relating to the environmental conditions at, and cleanup of, the Site.

**NOTICE OF POTENTIAL LIABILITY**

The United States Environmental Protection Agency ("EPA") has documented the release or threatened release of hazardous substances, pollutants or contaminants at the Site. EPA has spent and is considering spending public funds on actions to investigate and control such releases or threatened releases. Unless EPA reaches an agreement under which a responsible party or parties such as yourself will properly perform or finance such actions, EPA may itself perform these actions or order responsible parties to perform these actions pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601 *et seq.* ("CERCLA"), 42 U.S.C. § 9604, as amended by the Superfund Amendments and Reauthorization Act of 1986 ("SARA").

Under Sections 106(a) and 107(a) of CERCLA, 42 U.S.C. §§ 9606(a) and 9607(a), and other laws, responsible parties may be obligated to undertake actions deemed necessary by EPA to

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

7000 1670 0001 9634 7186

Postage	\$	0042-0280
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees		\$
Mr. Stan Steinrech, Vice President Corporate Relations Armstrong Holdings, Inc. c/o Elizabeth B. Davis, Esq. Womble Carlyle Sandridge & Rice, PLLC 3500 One Atlantic Center, 1201 West Peachtree St., Atlanta, GA 30309		
PS Form 3800, May 2000		See Reverse for Instructions

AUG - 6 2001

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. Stan Steinrech, Vice President Corporate Relations  
 Armstrong Holdings, Inc.  
 c/o Elizabeth B. Davis, Esq.  
 Womble Carlyle Sandridge & Rice, PLLC  
 3500 One Atlantic Center, 1201 West Peachtree St.,  
 Atlanta, GA 30309

4a. Article Number

7000-1670-0001-9634-7186

4b. Service Type

- |   |   |
|---|---|
| <input type="checkbox"/> Registered                     | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail                   | <input type="checkbox"/> Insured              |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD                  |

7. Date of Delivery

8/9/01

5. Received By: (Print Name)

Keith Turner

6. Signature: (Addressee or Agent)

X Keith Turner

8. Addressee's Address (Only if requested and fee is paid)

0042-0283

PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

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- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

**Important Reminders:**

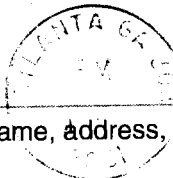
- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is not insurable for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

PS Form 3800, May 2000 (Rev. 05/00)

0042-0281

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